P50

Previous references.

C 7 72-'03

1904

(municipal)

File No 507-04

Serial Nos. 1416

Later references

ml 642-'05

ml 1460 ff 12 25 Jan

ml 1622 ff 12 (1906-22)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1416

Part B for December 1904

SUBJECT.

Re employment of boxes in the old Peneerchery near the Old Tarapoor Road & the Bangalore city

FILE No MI 507 of 1904 05

Acquisition of houses in the old Pioneercherry near the new Taragupet of the Bangalore City

1		From the Private Secretary to His Highness the Maharaja of Mysore, No 2405, dated 4th [illegible] 1905 Forwards for report petition of owners of the remaining houses in the old Pioneercherry praying for orders (1) to acquire their houses after re-valuation of the same, if necessary (2) not to collect taxes from them for any period prior to 14th November 1904 or (3) asking the Deputy Commissioner of Bangalore to fix at once a reasonable compensation for the damage sustained by them and release their houses by publishing a declaration to that effect in the *Mysore Gazette* at an early date
	2	To the Deputy Commissioner Bangalore District No 9342, dated 8th April 1905 Draws his attention to Government Proceedings No 1844 5—L F 72 03, dated 1st September 1904 and calls for the submission of the report therein called for within the 12th instant
	3	From the Deputy Commissioner, Bangalore District, No 1027 dated 29th May 1905 Reports the result of settlement of compensation payable to the owners of unacquired houses in the old Pioneercherry near the new Taragupet
	4	From the Secretary General and Revenue Department, No 11176 dated 5th June 1905 Calls for a detailed report as to whether all the houses declared in the notification published at page 33 of the *Mysore Gazette* dated 24th January 1891, to be acquired except houses Nos 16 and 35 referred to in Serial No 3 were acquired and compensation paid to the parties concerned and if not why no reference has been made to the remaining twelve houses out of fourteen houses alluded to in the Vice President's report, a copy of which was forwarded to the Deputy Commissioner for reference and what has been done in the case of the said twelve houses
1	5	From the Deputy Commissioner Bangalore District, No 84, dated 29th—31st July 1905 Reports in re payment of compensation for damage if any suffered by the owners of the unacquired houses in the old Pioneercherry near the new Taragupet at Bangalore
	6	To the President Municipal Commission, Bangalore City, No 1337, dated 7th August 1905 Forwards the letter referred to in Serial No 5 and requests him to furnish certain information on the letter
	7	From the President, Municipal Commission Bangalore City, No 75 dated 18—19th August 1905 Reports that, in the circumstances therein detailed houses Nos 29 and 44 in the old Pioneercherry appear to have been dismantled in connection with the City improvement work
16	8	To the Deputy Commissioner of Bangalore District, No 2134 dated 29th August 1905 With reference to Serial No 5, forwards the matchalike in original given before the President by Hayath Khan owner of house No 29 and requests that the records re the two houses Nos 29 and 44 may be traced and submitted at an early date
	9	From the Deputy Commissioner Bangalore District No 453 dated 22nd November 1905 States in reply to Serial No 8 that a reply is awaited from the President Municipal Commission to dispose of the reference in connection with the houses Nos 29 and 44 of the old Pioneercherry

11]

1904-05

GENERAL AND REVENUE SECRETARIAT

(Munl:)

NOTES.

File No 507-'04

FILE HEADING

Acquisition of houses in the Old Pronneherry for the New Thanagurpet of the Bangalore City

The Private Secretary to H H the Maharaja

No 2401 Dated 4.4.'05 Received 5.4.1905

ry No 6526	Enclos 1	Spare Copies. —	Serial No 1

BRIEF ABSTRACT OF LETTER

Forwards for report petition of the owners of the remaining houses in the old Pronneherry at Bangalore in regard to the acquisition of those houses.

NOTES AND ORDERS

In this Connection, the 1st Commissioner inspected the locality in August 1902 and records his opinion as follows:—

" × × × × The

" acquisition does not seem to

—First sheet.

MGGPB -30,000—17 2-05

Serial No

"to be either necessary or desirable
"they are close to a burial ground
"and do not seem to be an eligible
"addition to the New Paragraph.
"The Compensation involved is very
"large and quite out of proportion
"to the advantage resulting from
"the addition contemplated."

The Dewan Concurring in the above view, orders were issued accordingly and the Dy. Commissioner of the Bangalore Distt. was requested to settle the question of Compensation payable to parties for any damage suffered by them in a satisfactory manner as possible and to report the result to Government. The report called for has not been received yet but urgent reminders enquiring what action has been taken by him in the matter since is submitted

Gaz Proc. 844-5 / 7.72-03 Feb 1904 S

7/4/05

2. Read 8/4/05

2 3 Docket no 9332 Mil(507-02)-2 dated the 8th April 05

Draws the Dy. Commissioner's attention to G.P no 844-5 / 7.72-03 dated

Margin sheet

Serial No

the 1st September 1902 and requests that the reports therein called for may be submitted within the 12th instant

4. Letter no 849 dated the 12th April 1905 from the Dy Commissioner, Bangalore Distt

States, in reply, that certain particulars required by the Auditors were furnished to him only to day by the President of the Bangalore City Municipality and that the reference with the replies to as soon as the Auditor's report is received

5. Submitted for orders as to whether further report may be awaited till the end of this week and a reminder sent, if necessary.

Madras 6 17/4/05

19/4/05

3 7 Letter no S 1027 dated the 29th May 1905 from the Dy. Commissioner of the Bangalore Distt.

Reports that of the two unacquired houses not 35 & 6 the owners of the finish houses [illegible]

Copies sheet

Serial No

a sum of Rs 300/- as Compensation for damage suffered, that the last Complainer of having been encouraged through the non-repair of the house is due to his own neglect and that he has therefore been informed that he Cannot get any Compensation, and that as the owner of the second house did not appear even though he was summoned twice he has forfeited his Claim, if any at all

R

2 Submitted. The Vice-President's memo of August 1903 refers to 14 houses as remaining unacquired; but the Dy. Commissioner has referred to only two houses. It is not clear from the papers what was done in the case of the remaining 12 houses. Draft docket calling for further information is therefore submitted for approval and other orders.

Rd. Mg
31/5/05

RB
31/5/05 Passed
Q
16.6.05

10 Docket no. 11176 dated the 5th June 1905 to the Divisional and Dy. Comrs. Points out the discrepancy

Xmas—Conts sheet.

Serial No

as in para 8 supra and calls for additional information

11 Letter No. S 84 dated the 29th July 1905 from the Dy Commissioner, Salem, in reply, that apart from the declaration in the Gazette notifying the intention of Govt to acquire the houses referred to no further action in the direction of acquisition seems to have been taken, that any claim for compensation on account of the damage if any, suffered by them does not come within the purview of section 40(2) of the Land Acquisition Regulation, the owner's possession of their houses having been in no way disturbed

The Gazette has been returned after the Dy: ment

12 As further information in regard to houses Nos. 29 of 44 is required and the Dy. Commissioner has referred the Govt to the President, draft docket to President calling for it is submitted

Mahony 3/8/05 Passed 3/8/05 4/8/05

6 13 Docket No 1337 dated the 7th August 1905 to the President

Contn sheet

12]
Land Revenue Secretariat

Mk File No 50 of 1904

Serial No

Enquires whether the demolition of portions of houses nos. 29 & 44 referred to by the Dy Comr was under the Epidemic Diseases Regulation or otherwise

7 15 Letter no. 75 dated the 10th August 1905 from the President

States in reply that the two houses in question appear to have been dismantled under the orders of Mr P Sitaramayya in connection with the City improvement work

6 Submitted for orders The Dy
Mab 23/8/05 Comr says that the demolition of these two houses might probably have been under the Epidemic disease Regulation as being unfit for human habitation and the records might be available in the municipal office while the President states that they were dismantled in connection with the City Improvement work under orders of Mr P Sitaramaiah

Aug 23/8 17 Put up a docket ~~work~~ forwarding the Mutchellaka & requesting the Dy Comr to arrange to trace the records, & to submit these ab accordingly

If A sent on 23/8 to the

MGC(I)-5000-1-20)

23
24/8/05

12]
al and Revenue
Secretariat

Ml File No 507 of 1904

Serial No

60 Draft submitted to Secy
Mahadeva 25/8/05
28/8/05
Passed
26/8/05

8 19 Docket No 2134 dated the 29th August 1905 to the Dy. Comr. of the Bangalore Dn

forwards in original the Mutchalika given before the President by Hayath Khan, owner of house No 29 and calls for the records connected with the house Nos 29 & 44

9 20 Letter No L453 dated the 22nd November 1905 from the Dy. Commissioner,

States, in reply, that the records are not traceable in the Amildar's office and that a further report will be subd on receipt of information called for by him from the President

21 May further report be awaited The report called for by the Private Secy to His Highness the Maharaja is long overdue

Mahadeva 29/11/05 22 Please say that the information should be obtained & the report called for submitted by the 10th Proximo

29/11/05

tn sheet

MCCPL 50000 1-20

Serial No

23 Draft docked & submitted.
Mahony 24. Issue
30/11/05 30/11/05

10 25 docked No 5842 dated the 28 December 1905 to the Dy: Commr
States that the matter being urgent the information should be obtained and furnished by the 10th December 1905

26 Memo No 5843 dated the 28 Dec 1905 to the President
forwarding a copy of No 232 & requesting him to comply with the Dy: Commissioner's requisition at a very early date.

11 27 Letter No 232 dated the 7th December 1905 from the President
States that the two Mukhi chakkas exercised by the owners of the houses Nos. 29 and 44 referred to were used to the Dy: Commr on the 4th instant, being the only papers & traces in the records of his office

28 Submitted for orders as to whether the Dy: Commissioner's reply may be awaited while the 10th instant. on which the case is fixed

Mahony 9/12/05 — 11/12 — 29 Yr. 2.3 11/12/05

[illegible] 1720.

12]
neral and Revenue Secretariat

Ml File No 507 of 1904

Serial No 12

30 Letter no 496 dated the 9th December 1905 from the Dy. Commissioner of the Bangalore District.

Forwarding in Continuation of serial 9 one Muchalika and 2 statements connected therewith received from the President

31 No more papers on the subject seem to be traceable either in the office of the Dy. Commissioner or in that of the City Municipal President

32 Attention is respectfully invited to the Dy. Commissioner's letters Nos. 1027 and 84 dated the 27th May and 29th July 1903 respectively, and orders are solicited whether, in the circumstances therein reported, the Dy. Commissioner may be requested to give effect to the Govt. order No. 1844-5 / 2772-03 dated the 1st September 1904 by submitting a Notification fixing the boundaries of the houses which are not required for a public purpose.

Draft Notification submitted as also the draft order and Endt. as required

L N

S

or to the Municipal Council and the Deputy Commissioner of the former also to the latter as the case may be.

13/12/05

34

Mal 19/12/05

13/12/05 the

Serial No

13 35 Memo dr. 1268 dated the 14th December 1905 from the Private Secretary to His Highness the Maharaja

Forwards petition from the owners of the unacquired houses in the old Pioneercherry at Bangalore and Calls for a report as to how the Case stands and when it is likely to be disposed of

36 Submitted for orders with three drafts ~~Notification~~ called for by the Assistant Secretary

Mb Dmj 16/12

Read to Lord L. J B 19/12/05

37 Yes, I [illegible]

14 38 Notification dr. 6501 dated the 20th December 05

Notifies the Cancellation of the declaration published at page 33 of the Mysore Gazette of the 24th Jan. 1891 in so far as it relates to the 14 houses referred to

15 39 Govt. Progs dr. 6498-99 dated the 20th December 1905

Agrees with the Dy Comr that the owners of the 14 houses referred to are not entitled to any Compensation

MCCLB- 20000 11 05

12]
and Revenue Secretariat

Mb File No 507 of 1904

Serial No

theis possession having never been disturbed and observes that in the cases of houses nos 29 & 44 there is nothing on record to shew that they were dismantled by Govt agency and that, if sufficient proof is adduced, they may be investigated by the Dy. Comr and Compensation awarded if necessary, in consultation with the President, the amount being paid from Municipal Funds

16 40 Endt no 6500 dated the 20th Decr 1905 to petitioners

Informs them that beyond the publication of a notification in the Gazette declaring the intention of the Govt to acquire their houses on public grounds no further action was taken in the direction of actually acquiring them nor was the petitioners' possession of their houses disturbed, and that in such circumstances they are not entitled to compensation on account of the damage alleged to have been suffered by them which, if any at all, is due to their own neglect to repair their houses when necessary, and that a notification cancelling the original declarations in so far as it relates to their houses will be published in the Mysore Gazette

tn sheet 1

MCCLB 20000 Ltd.

W.F. 507 — Re (1)

D. 6826 1

Name of Petitioner
Syed Hussain Sothers of
Hale Pioneer Cherri Lines,
Near new Tharagupete, Bangalore
city

Date of Petition 1.4.05

Received with Asst Private
Secy's No 2401 dated the 4th
April 1905 for report

Abstract.

State that the houses known
as "Hale Pioneer Cherri Lines"
belong to the petitioners, that
these houses were notified in the
Mysore Gazette on 31st January
1891 as being required for the Ex-
Tension of the City of Bangalore,
that after a period of 7 years, i.e.
in 1898 the Dy Comr Bangalore
fol- the lands houses & lands attached
thereto measured & took possession
of same & the amount of Compensa-
tion, that the Dy Comr failed
to take any action in the matter,
that the petitioners applied for
licenses to repair these houses,
that their requests were not given,
that in Aug 1904, the petitioners
informed that the houses in question
were not required by Govt that

During the long period of 16 years, the petitioners were practically prevented from alienating their houses, that some houses & some of their fortunate neighbours in the same locality have been acquired by profit that the owners thereof have been given vacant lands outside the city for building houses, that the Municipality has issued several notices to the petitioners to pay up the taxes of their houses for 3 years, that under the circumstances the petitioners pray to issue early orders to acquire their houses after re-Valuation if necessary, not to collect taxes from them for any period prior to 16th Nov. 1904, to fix at once a reasonable Compensation for the damage sustained by them & release their houses by publishing the same in the Mysore Gazette.

M
6/4/05

3

D6826 21-F507-04 (1)

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE

Mysore 4th April 1905.

No. 2401
Exc/

Petition as shown below, to His Highness the Maharaja, to

4/4 transferred to the Secretary to the Government of His Highness the Maharaja

of Mysore, General and Revenue Department (Br IV), Bangalore, for report

No 1728 3 04 05

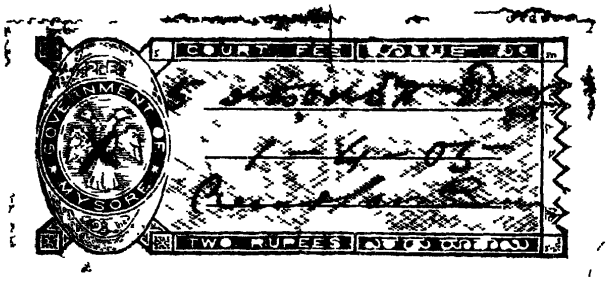
By Order,

Mukerjee

I C S

Private Secretary

to H H The Maharajah of Mysore



To

HIS HIGHNESS

The Maharaja of Mysore,

MYSORE.

THE HUMBLE MEMORIAL OF HIS HIGHNESS'
Most humble and loyal subjests, residing in Halé Pioneer Cherri Lines, near New Tharagupett, Bangalore City

MOST HUMBLY AND RESPECTFULLY SHOWETH,

1 That the houses in the place known as "Hale Pioneer Cherri Lines" near New Tharagupett, Western Extension, Bangalore City belong to these humble Memorialists

2 That so far back as 31st January 1891, these houses were notified in the issue of the Mysore Gazzette of that date as being required for the extension of the City of Bangalore on its Western Direction and the occupants of the said houses were informed of the same

3 That no steps were taken by Government for a period of 7 years from the date of the said notification and afterwards in the year 1898 the Deputy Commissioner of Bangaloro got the houses and lands attached thereto measured and took Mutchalikas from these humble Memorialists as to the amount of compensation they were willing to accept from Government

4 That to the great misfortune of these humble Memorialists the Deputy Commissioner of Bangalore failed to take any action for acquiring the land thereafter and the several petitions presented to him were always returned to them with endòrsements to the effect that the question was pending before Government for favourable consideration

5 That while the matter remained in such suspense these humble Memorialists petitioned to the Municipality for licenses either to repair their old houses or to alter them completely, but they were always told that licenses could not be given as their houses were about to be acquired by Government

6 That the houses of these humble Memorialists having stood for such a length of time without repairs of any kind for no fault of their own, have become uninhabitable and delapidated

7 That in November 1904 in reply to a petition presented to the Municipality these humble Memorialists were, for the first time, informed that their houses were not required by Government as the compensation fixed thereto for seemed high and that the Deputy Commissioner had been directed to fix a reasonable compensation for the damage sustained by these humble Memorialists during these 14 years on account of the steps taken by Government under the Mysore Land Acquisition Regulation

8 That during this long period of 14 years these humble Memorialists owing to this uncertainty of acquisition by Government, were practically prevented from alienating their houses even when very profitable offers were made for purchasing them by private individuals who intended to build mandi shops in the said locality

9 That these humble Memorialists by the order of Government referred to in para 7 feel highly aggrieved inasmuch as the want of repairs has materially reduced the value of their houses and favourable opportunities of disposing of them to advantage are lost

10 That these humble Memorialists further beg to bring to His Highness' kind notice the fact that some houses of some of their fortunate neighbours in the same locality have been acquired by Government and that the owners thereof have not only been paid compensation but have also been given vacant lands outside the city for building new houses

11 That the Municipality has issued several notices to these humble Memorialists asking them to pay up the taxes due on their houses for a period of three years and it is respectfully submitted that these humble Memorialists should not be held liable for taxes payable for any period prior to the date of the order of Government intimating to them the refusal to acquire their houses

12 That these humble Memorialists who are extremely poor and without any means of livelihood sincerely hope that their representations as to the hardships caused to them if humbly brought to His Highness' kind notice, would receive due consideration and that ample justice suited to the circumstances of the case would be meted out to them

For these reasons these humble Memorialists most respectfully pray that His Highness may be graciously pleased

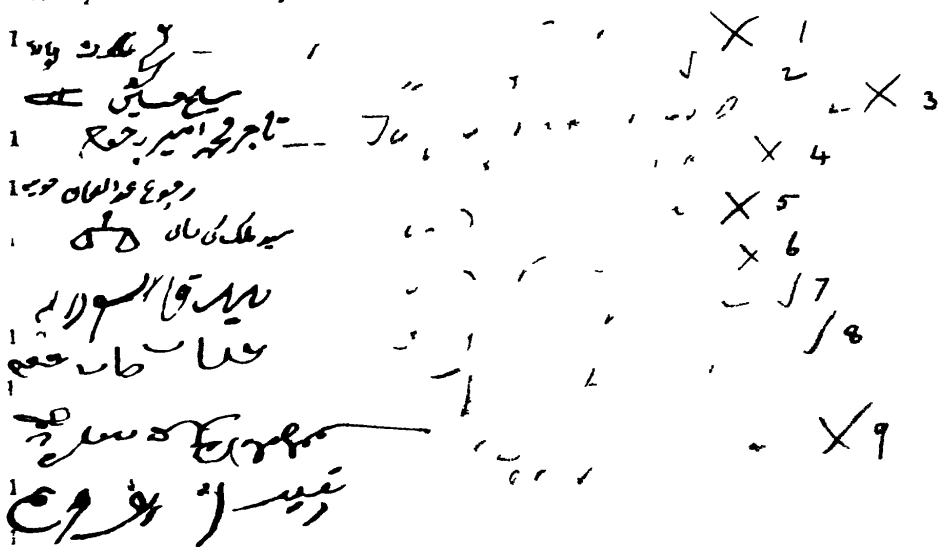
(1) to order the acquisition of their houses after a re valuation of the same if necessary, by taking the peculiar and extremely hard circumstances of their case into consideration,

(2) to order the Municipality not to collect taxes from them for any period prior to 14th November 1904,

(3 or at least to order the Deputy Commissioner of Bangalore to fix at once a most reasonable compensation for the damage sustained by these humble Memorialists and release their houses by publishing a declaration to that effect in the Mysore Gazzette at a very early date

For which act of kindness and generosity, these humble Memorialists will, as in duty bound, ever pray for His Highness' long life and happiness

BANGALORE,
1st April 1905



Very urgent

1904-05

From

Secy to the Govt of His Highness
the Maharaja of Mysore,
Genl and Rev Depts

To

The Dy Commissioner
Bangalore Distt

Dated

Despatched } April 1905

Received

General No 9302

Rel No (50)-Rl)-2

Enclosure No

Has the honour to
draw the Dy Commissioners
attention to Govt Proc. no.
1844-55 dated the 16th
1772-03
September 1904 in regard
to the settlement of Com-
pensation, if any, that
may become payable to
owners of the unacquired
houses in the old Pioneer-
Cheery near the New Tha-
nagrufet at Bangalore, and
to request that the ~~xx~~ as forth

therein called for
may be submitted at
~~within~~ within the 12th instant
~~from the date~~ as to
the action taken by him
~~in~~ in the matter.

By order

8.4.1905

Leehy
7/4/05

7/4/05

8.4

IV
Ours
3095/05

1904/05-

8
(3)

From The Deputy Commissioner
Bangalore District

To The Secy to the Govt of Mysore
Rev & Genl Depts

Dated 29th May 1905

Despatched

Received

General No

S No 1027

Enclosure No

Govt Cros No 1844-5 / Ff 72-03 of
15th September 1904

Reports the result of
of settlement of Compensa-
tion payable to the owners
of unacquired houses in
old Ponnecherry near
Tarapet Bangalore

Bangalore District 1905

Deputy Commissioner's Office

Bangalore 27th May 1905

S. No. 1027

Rd. F 567-14 (3)

From,

D Devaraj Urs Esq

Deputy Commissioner

Bangalore District

To,

B K Venkatavaradayengar Esq.

Secretary to the Government of

Mysore

General & Revenue Departments.

Sir,

With reference to Government Proceedings No. 1844-S dated 1st September 1904, L772-03 desiring to know the result of settlement of compensation, if any, payable to the owners of unacquired houses in old Pondicherry near Tharagapet, Bangalore, I have the honor to state that of the 2 unacquired houses Nos. 16 and 35 & 21 the first one is of mud roof, owned by Police Sergeant Syed Hussain Sahib and

367

and let out to one Abdul Khader Sahib. The second a tile roofed one belongs to Mahomed Ghouse Sahib, who lives in the house. He was summoned by the Amildar, Bangalore Taluk and has deposed before him that since the publication of the acquisition of the house in the Gazette he did not attend to its necessary repairs, thus resulting in its deterioration to the extent of Rs 300/, that such acquisition would have brought him Rs 900-8-- and that the house was not vacated as no compensation was paid therefor. He wants the damage to be recouped by a payment of Rs 300/ by Government. The contention does not seem to come in the purview of Section 48 clause 2 of the Land acquisition Regulation. The complained loss sustained by the non-repair of the house was due to his own neglect and therefore could not reasonably be compensated for

for by Government- The Amildar has been asked to intimate the party by an endorsement in the above terms

2 With regard to house No 16, the owner was served with a Notice to present himself on the 6th Inst. He pleaded inability to attend that day and the date was adjourned to 15th Idem, and a fresh Notice issued The Notice was received back with the remark by one Syed Ahmed stating that Syed Hussein has gone to 'Dodballapur His non presence even after knowing the purpose for which he was required, makes him liable to forfeit his cause, if any at-all

I have the honor to be,
Sir,
Your most Obedient Servant

Dy Commissioner

Very urgent 12

1904-05

(a)

From

Secy to the Govt of His Highness
the Maharaja of Mysore,
Genl and Rev Depts

To The Dy: Commissioner of the Bangalore

Dated Draft

Despatched

Received 5 June 1905

General No

No

Enclosure No

His letter no S. 1027 dated the 27th May 1905 in regard to the payment of compensation for damages, if any is suffered by the owners of the unacquired houses in the old Pioneercherry near the New Kharagpet of the Bangalore City

With reference to the above has the honour to forward herewith for

G R S 294

~~Ready~~ reference a copy
of the Bangalore City
Municipal Vice Presid-
ents memo of August
1903, wherein 14 houses
have been referred to
as having been left un-
acquired the compensation
awarded therefor being
excessive and to request
the Dy Commissioner to
be good enough to refer
to the declaration published
at page 33 of the Mysore
Gazette dated the 24th
January ~~1903~~ 1891 and
submit a detailed report
at a very early date
to whether all the
trees therein declared
to be ~~acquired~~ as required except
trees Nos 16 & 35 referred
to in this present Communication

GENERAL AND REVENUE SECRETARIAT

(*Continuation Sheet draft form*)

were ~~to~~ acquired and Compensation paid to the parties concerned; and, if not, why no reference has been made to the remaining 12 houses out of the 14 houses alluded to in the Hon'ble President's remark and what has been done in the case of the said 12 houses.

2) Requests that this may be treated as one of special urgency and the required information furnished ~~early~~ by not later than the 10th June 1905.

"By order"

1/6/1905

Secty

31/5/05

31/5/05

15

(5)

Original 2/8/05 1905-06

From The Dy Commissioner Bangalore District

To The Secretary to the Govt of Mysore Genl & Rev Departments

Dated 29th } July 1905
Despatched 31st }

Received

General No

No 84

Enclosure No one Zeb

His No 11176 of the 5-8
Genl (5-07-04)-4
June 1905.

Reports in re payment of compensation for damage, if any, suffered by the owners of the unacquired houses in the Old Pincer-Chavy near the new Khara-Sufet at Bangalore

Ex. No (507-04) 2968.
Sr (5)

Bangalore District
Deputy Commissioners Office
Bangalore 29th July 1905.

S. No
Encl: Nil file
From

D Devaraj Urs Esq
Dy Commissioner
Bangalore District

To, B.H Venkatarama Iyengar Esq
Secretary to the Government
of Mysore
General & Revenue Departments

Sir,

In reply to your No 11176 of the
Jud (507-04)-4
5th Ultimo, enquiring whether the re-
-quiring houses (marginally noted) of old Pioneer cherry were ac-
-quired and if not, what damage demanding compensation was suf-
-fered by the owners thereof, I have the honor to state that apart from the declaration in the Gazette noti-
-fying the intention of Government to acquire these, no further action is

Houses	Nos
1 —	18
2 —	19
3 —	20
4 —	22
5 —	29
6 —	32
7 —	34
8 —	37
9 —	40
10 —	42
11 —	41
12 —	43

in the direction of acquisition
seems to have been taken. The
owners of these houses were sum-
-moned by the Amildar of the
11 who appeared, those owning
houses No. 29 and 44 deposed that
their houses were demolished by
Inspector Varadappa of the City
Municipality and they must be
compensated therefor, while the other
9 contend that their houses are much
deteriorated by timely repairs not
being done thereto, with the expecta
-tion of their being acquired by Govern
-ment at any moment and that
they ought to be paid now the cost
of restoring their houses to their
former condition. This is untenable,
as the said loss, if any, is only the
direct result of their own negli
-gence. Moreover, such a claim
does not come within the purview
of Section 48 (2) of the Land Acquisition
Regulation, because the owners' possession
of

of the houses was in no way disturbed

✓ As regards the 2 houses said to have been demolished, the declaration statement of 1891 gives the usually noted particulars against them, while the compensation statement prepared in 1899 shows much different particulars as shown against each. This leads to the only inference that at the time of the preparation of the compensation statement no building existed on the site of house No 29 and in the case of house No 44 there was not the originally large extent of built portion. The compensation claimable, if any, should be for demolishing the houses. The demolition might probably have been under the Epidemic diseases Regulation as condemned unfit for human habitation. and the records relating thereto may be available in the City Municipal Office, a reference to which is kindly solicited.

	Particulars as per compensation statement	Particulars as per declaration statement
29 —	31 × 63 Matched boards on 9" wall	Vacant land — 138½ sq yds
44 —	96 × 68 Tiled house on 725½ sq yds	34½ sq yds covered with building 738½ sq yds Vacant site.

8 The owner of house No 20 not having

having responded to the notice
issued by the Custodian may be
said to have forfeited his claim
if any, for loss caused by the
publication of its acquisition
in the Gazette

I have the honor to be,
Sir,
Your most obedient Servant

Deputy Commissioner

Very urgent 20

1905-06 (6)

From

Secy to the Govt of His Highness
the Maharaja of Mysore,
Genl and Rev Depts

To

The President of
the Mub: Commrs
Bangalore City

Dated
Despatched
Received 7th August 1905
General No 1337
No Mul (52-04)-6 Encl

In forwarding herewith
a copy
~~an extract of para 2~~
of letter no S 84 dated the
29th July 1905 from the
Dy. Commissioner of the
Bangalore District in the
matter of the claim put
forward by the owners of
the encroached houses
in the Old Pioneer Cheery
near the New Dharamsatra
of the City, I have the
honour to request the
President to be so good
as to report at a very

early date, after necessary
enquiry and perusal of
the original records, whether
~~the demolition~~ the demolition
of the portions of the houses 29
& 44 referred to by
the Dy Comr was under
the Evidence Diseases Regulation or
otherwise & of the latter on what grounds?
Requests that this
information may be
submitted with records, so as to
reach this office not
later than the 15th inst

'By order'

8/9/05

Secty

3/8/05

Spl Asst

M 109]

(D1637 me 507 of 1904-05 SC(7))

OFFICE OF THE MUNICIPAL COMMISSION,

City, Bangalore, 18th August *19* 1905

75
Civil One
From

THE PRESIDENT,

Municipal Commission,

Bangalore City

To

The Secretary to the Government of H H the Maharaja of Mysore,

General and Revenue Departments,

Bangalore

SIR,

With reference to your docket No 1337/Municipal — (507-04)-6 dated the 7th Instant, calling for certain information regarding the circumstances under which houses Nos 29 and 44 in the old Pioneercherry were dismantled etc , I have — the honour to report that the Register of Houses demolished under Epidemic Diseases Regulation and other records connected therewith do not show that these two nos were demolished under Epidemic Diseases Regulation

2 There are, however, no records in this office to show how they were demolished The owners of the 2 houses were given notice to appear before me and give their statements as to how and when their houses were dismantled The owner of house No 29 Hayath Khan appeared and gave the accompanying statement, but Venkatasamiah, the owner of No 44, failed to appear till now Hayath Khan has stated that his house was dismantled by Varadappa in the presence of Deputy Amildar Mr Kesava — Iyengar now retired Mr Kesava Iyengar was asked to throw light on the matter, but he not only denies having been present at the time of the demolition of No 29, but states that he does not know the circumstances under which he were pulled down

3 Hayath Khan has also stated that a Muchalika was taken from him and that he was taken to the then Bangalore Division

sion

2 3

Division Assistant Commissioner Mr Sitaramaiya's house for settlement of compensation

4 The 2 houses in question appear to have been therefore dismantled under the orders of Mr. P Sitaramaiya in connection with the City improvement work.

P

I have the honour to be

Sir,

Your most obedient servant,

S Vagarkar

President

62

1905-06 24

From

(8)

Secy to the Govt of His Highness
the Maharaja of Mysore,
Genl and Rev Depts

To The Dep: Comr of the Bangalore Distt:

Dated
Despatched } 29th August 1905
Received
General No 2134
Genl No (507-04)-8

Enclosure No 1

With reference to his letter no. 84 dated the 29th July 1905 in regard to the payment of Compensation claimed by the owners of the un-acquired houses in the old Pioneerchery in Bangalore, has the honour to forward herewith in original the Mutchalka given before the President by Hayath Khan, owner of house no 29, and to request that the nec-

C R - 29A

in connection with the two houses Nos 29 & 44 may be traced and submitted at an early date

"By order"

6/8/05

Secty 25/8/05

25/8/05

Acc
25/8

W. Thag 27/11 Hist 201 26

(9)

W mult 26-11-05 1905-6

From

The Dy commissioner Bangalore dist

To

The Secy. to the Govt of Mysore Genl. & Rev. Depts.

Dated 22nd

Despatched 25 November 1905

Received

General No

No 453

Enclosure No

His No. 2134 of 29.8.05

Mc (507-04)-8

States that a reply is awaited from the Resident City Municipal commissioner to dispose of the reference in connection with the boundaries of the old Pensioners Cheriyapalya

D4460 M.C.507-04
82.9

Office of the Deputy Commissioner,
Bangalore District.
Dated, Bangalore , 22nd November 1905.

From,

D. Devaraj Urs , Esquire ,
Deputy Commissioner,
Bangalore District.

To,

B.K.Venkata Varada Iyengar , Esquire,
Secy.to the Govt.of H.H.the Maharaja of Mysore.
Revenue and General Departments.

Sir,

With reference to your docket No.2134/M1.(507-04)-8 dated 29th August 1905. requesting that records in connection with the houses numbers 29 and 44 of the old Pioneercharry may be traced out and submitted, I have the honor to state that the Assistant Commissioner. Bangalore Range, was requested to cause a search being made in his Office or in that of the Bangalore Taluk. The Amildar having reported through the Division Officer that the records are not traceable in his Office, as similar reference on the subject has been made to the President, City Municipal Commission. His reply is awaited for disposing of the reference quoted above.

I have the honor to be,
Sir,
Your most obedient servant,

D Devaraj
Deputy Commissioner,
Bangalore District.

B.N.S

Very Urgent 1905-06

From

Secy to the Govt of His Highness
the Maharaja of Mysore,
Genl. and Rev Depts

To

The Dy. Commissioner
Bangalore Dt

Dated

Despatched

Received

General No 5842

Genl No (507-04) - 10

Enclosure No

No. letter dt. 4-3-05 the 22nd ultimo stating that the records connected with the houses Nos. 29 & 44 of the old Pettah Cherry in the Bangalore City are not traceable in the Bangalore Taluk office, and that a reference on the subject has been made to the President and that his reply is awaited for furnishing of the reference required with this

---

G R S. 20A

Has the
honour

I
honour to state that, the
matter being urgent the
information should be obtained and
furnished by the 10th
December 1905

By order
DB
30/11/05
Jr Secy

S 30/11/05

Memo 5843 dt 02-12-05
Cont (50)-04
Copy forwarded to
the President of the Municipal Commission, Banga-
lore City, with a request
that the Dy. Commissioners
requisition may be
complied with at a
very early date

"Boyorder"

DB
30/11/05
Jr Secy

S 30/11/05

1/12

1/12

1/12

B M. 109]

Irgn 24750 inc 507-04 36 82-10

OFFICE OF THE MUNICIPAL COMMISSION,

City, Bangalore, 7th December 1905.

No 232

From

THE PRESIDENT,

Municpal Commission,

Bangalore City.

To

The Secretary to the Government of H H the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

Sir,

With reference to your Office Memo No. 5843/Municipal (507-04)-10 dated the 2nd. Instant, I have the honor to report that on the receipt of a Memo. No. 448 dated the 16th. Ultimo from the Deputy Commissioner of Bangalore, two muchalikas executed by the owners of houses Nos. 29 and 44 referred to in the Old Pioneercherry were sent to that Officer with this Office Yadi No. 312 dated the 4th. Instant, being the only papers traced in the records of this Office as referring to the said two houses.

I have the honor to be

Sir,

Your most obedient servant,

A. Nagarkar

President.

AV.

Received 12-12-05 31
1905 (12)

From
The Dy Commissioner
Bangalore Dist.

To
The Secy to the Govt of Mysore
Gen & Rev Depts.

Dated 9
Despatched 11 December 1905
Received
General No
S No 496
Enclosure No 4

This office No S 453 of
22 11 05

forwards in continuation
one receipt & 2
statements connected
with the issue of 29 cases of
the Royal Proclamation

MR507-04
62-12

No. 496
E-4

Bangalore District
Dy Commissioner's Office
9 December 1905

From

D. Devaraja Urs Esquire
Dy Commissioner
Bangalore District

To B. N. Venkatarangaiya Engr
Secretary to the Govt of Mysore
Gen & Rev Depts

Sir,

In continuation of this office letter No. 453 dated 22nd ultimo, and in reply to your docket No. 2134 dated the 29 August 1905 MR 507-04-8 calling for the submission of certain records connected with houses No 29 and 44 of old Pioneer Cherry I have the honor to enclose herein one muchilka and 2 statements connected therewith received from the President, City Municipal Commission and to state that the President reports that no further

records on the subject are traceable in his Office.

The enclosure received with your docket under reply is herewith returned

I have the honor to be,
Sir,
Your most obed. servant
A Thumboo Chey
for Dy Commissioner
WHL

M:507-04 D4890
G.12
Bangalore District
By Commissioner's Office
9 December 1905

No. 496
E-4

From
H. Devaraja Urs Esquire
By Commissioner
Bangalore District

To B. N. Venkatanarada Iyengar Esq.
Secretary to the Govt. of Mysore
Gen & Rev Depts

Sir,

In continuation of this office letter No. 453 dated 22nd ultimo, and in reply to your docket No. 2134 dated the 29 August 1905 M.C 507-04-8 calling for the determination of certain records connected with houses No 29 and 44 of old Pincevakkam I have the honor to enclose herewith one mahzar and 2 statements connected therewith received from the Resident City Municipal Commission and to state that the Resident reports that no further

records on the subject are traceable in this office

The enclosure received with your docket under reply is herewith returned

I have the honor to be,
Sir,
Your most obedt servant
H. Thumboo Chetty
for Dy commissioner
MMK

R. 4999 82-13

Name of Petitioner
Mahomed Jouse & others,
old Pioneer Lines, New
Thanapeth Bangalore City.
Date of Petition 13 12-05
Received with H.P. Printed
No 1268 Dated 14. 12-05
for report as to how the
case stands & when it is
likely to be disposed of

Abstract

State that their houses in the old Pioneer Lines were notified in the Mysore Gazette of 1891 as being acquired for the extension of the Bangalore city, that some of the houses that were thus notified were acquired & Compensation therefor in 1892, that Mr. B. K. Venkata Varada Iyengar the then Dy. Comr. estimated the compensation to be paid for the houses & took insufficient that no Compensation has been paid & even till now, that the Municipality did not grant licenses to rebuild or repair their houses de
to notification

during the rains, that he
Entry it was ordered that
the said properties were
not required by Govt. to
reserve if there is any loss
to be Compensated therefor,
that accordingly the Amildar
of the Bangalore Talukcutcherry
Bracketed as from the petitioners
4 for months &c., that they
presented a petition to H.H.
the Maharaja on 1st April
1905, that the subordinate
authorities should take
steps in ascertaining the
grievances in question. that
if no notice is now done
in the matter, they must
leave the Province entirely,
that therefore they pray for
the issue of Early orders in
the matter

15/12/05

26

DH 999 ME 507-05

K 13

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.
Dated Bangalore 14th December 1905

No. 1268

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department (Br IV), Bangalore, for report as to how the case stands and when it is likely to be disposed of.

No. 865 of 05-06.

By Order,

ICS
Private Secretary
to H H The Maharajah of Mysore

Submitted this, the Devan Sahib. The matter was disposed as can be seen from the file herewith submitted.

496/8.12.05 19.12.1905

OFFICE OF THE PRIVATE SECRETARY
266
14 DEC 1905
TO H H THE MAHARAJA OF MYSORE

To

Her Highness

The Maharaja of Mysore

The Humble Memorial of

Her Highness' Most humble and loyal Subjects, residing in "Old Pioneer Lines", near New Tharagupett Bangalore city

Most Humbly and Respectfully Showeth that,

1 The houses in the place known as "Old Pioneer Lines", near New Tharagupett, Western Extension, Bangalore city, belong to these humble Memorialists

2 So far back as 31st January 1891, these houses were notified in the issue of the Mysore Gazette of that date as being required for the Extension of the City of Bangalore on its Western Direction, and the occupants of the said houses were informed of the same

3 Some of these humble Memorialists' neighbouring houses, which were included in the notification

were acquired by Government and paid Compensation

1892

Mr B K Venkata Varada Iengar, the then Deputy Commissioner of this District, estimated the Compensation to the houses of these humble Memorialists and took Mutchalikas from them

5 No Compensation is paid up to this time

6. As these humble Memorialists were hindered from the attachment of the said property on the publication of the gazzette neither these humble Memorialists were entitled to Sell the property to the bedders of the New Sharagupett for building Mandabshops, nor were they paid Compensation by Government, thereby Causing the destruction of their property

7 As the Municipality did not grant licences either for the annual repairs of the houses due to rain or for building new buildings in the said locality, the above-mentioned property happened to be destroyed

(8) Recently it was ordered that the Government is not willing to acquire the above-mentioned property, and to make known to the Government if there is any loss to be Compensated; hence Amildar of this Taluq sent for these humble Memorialists for estimating

the Losses, and took Mantchalikas from them a few months ago

9 As no settlement was made till now, though it is 14 years since that it is published in the gazzette and as there was none to discuss about this matter though many petetions are offered, then these Memorialists were obliged to beg Hers Highness through a petetion dated the 1st of April 1905

10 Since no investigation is made with regards to this matter though these humble Memorialists offered a petetion to Hers Highness' presence, they have lastly to beg Hers Highness through this petetion for the final settlement of the Case

11 Many Subordinate officials of Hers Highness, who are drawing higher pays monthly do no more work than waste their time in leading a happy life with their families, without taking the least notice of these humble Memorialists' complaints of being distressed at not getting the due Compensation for the loss of their property

12 Now too, these humble Memorialists feel oblige if Hers Highness will pay regard to this poor petetion, and confer on them any reasonable

Compensation on His Highness' own final Settlement.

If His Highness is not willing to settle the Case by Self-judgment, it is better to permit these humble Memorialists to migrate to the foreign lands rather than delivering the Case to the hands of the Subordinate officials for Settlement, then these humble Memorialists will be exceedingly glad to leave this Country with the forefeiture of their property to Government, thinking that their living in this Province came to an end

Therefore, these humble Memorialists hope that His Highness will be highly pleased to retain His Highness' old Subjects in this Province by delivering them from their distress

For which act of kindness and generosity, these humble Memorialists will, as in duty bound, ever pray for His Highness' long life and happiness

Dated 13th December 1905 } Sd Mahamud Gouse
Bangalore City }

Mark of Shiek Hus

" Mealick Sait

Mark of Dade Sab

Mayath Khan

Suban Sait

I

draft

41

6501
Mul(50)-04 dt 20/12/05

Notification — (14)

It is hereby notified for the information of the public that the Govt Notification no 365/226 dated the 17th January 1891 published at page 33 of the Mysore Gazette of the 24th January 1891, Part I, ~~should be considered as having been~~ cancelled in so far as it relates to the properties mentioned hereunder :—

R

Sl. no	~~Door~~ no of the house	Name of owners
1	40	Veerabhadrappa
2	37	Khajubi
3	16	Abdul Rowoof Sahib
4	18	Sheik Hussen

Names of as gale- ~~gas~~ ~~ap~~ ~~a~~ has been in this

Sl No.	Door No. of the house	Situation	Name of owner
5	19	Old Pumpcherry, Bangalore City	Malik Sahib
6	29		Hayatkhan
7	32		Jamadar Francis
8	20		Syed Hussen
9	44		Ramachandra Rao
10	42		M. Kasim
11	34		Shek Mohiaddin
12	36		M. Gouse Sahib
13	22		Muhammad Hayat
14	45		A. Francis and —

14

"By order"

19/12/05

Secy

To, The Compiler of the Imperial Gazette, for publication

J.D. 16/12/05

Secy 20/12

Memo — 6502 — dt 20-12-05

Copy forwarded to the Deputy Comr of the Bangalore Distt. with reference to Correspondence ending with his letter No. 496 dated the 9th Decr 1905. The file of vernacular papers and the Mutchalkas are returned

3

43

GRS 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet Draft form)

returned

"By order"

6/12 1925

Leely.

6503

Memo 2nd (50)-123

Copy forwarded to the President of the Municipal Commission Bangalore City for information.

"By order"

6/12 1925

Leely.

16/12/25

14-

Signed 15/12/25

2-0/12

3 drafts 44

28]

File No 607-05
Serial No. 15

Diary No of letter replied to 4999

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT
(Mb.)

, the 19th Decr 1905

Date of issue 20-12-05

Signed by [illegible]

READ —

Govt Proc: No 1844-5 / 1772-03 dated the 14th September 1904 observing that it is neither necessary nor desirable to acquire the remaining 14 houses in the Old Pioneer Cherry of the Bangalore City and that the Muchalikas executed by the owners of those houses may be cancelled and the houses set free and requesting the Dy Commissioner of the Bangalore Distt to settle the question

SUBJECT

MGC PB—20,000—24-2-6

of Compensation, if any, under section 48 (2) of the Land acquisition Regulation in as satisfactory a manner as possible reporting the result for the orders of Government.

(2) Letter No. L. 1027 dated the 27th May 1905 from the Dy. Commissioner of the Bangalore District reporting that of the two encroached houses Nos. 16 and 35* in the Old Pioneer Cherry the owner of the 2nd house claims a sum of Rs 300/- as Compensation for damage ~~suffered~~ accrued, that the loss complained of having been sustained through the non-repair of the house is due to his own neglect, and that he has, therefore, been informed that he cannot get any Compensation and

* This is No. 36 in the Revised Register of Encroachments in Compensation Roll 19/12

GRS 271

GENERAL AND REVENUE SECRETARIAT

(*Continuation Sheet draft form*)

and that as the owner of the 14 houses did not appear even though he was summoned twice he forfeited his Cause, if any at all

(3) ~~Other~~ Letter No S 84 dated the 29th July 1903 from the same Officers, requesting further that beyond the publication of the Notification in the Mysore Gazette declaring the intention of the Govt to acquire the 14 houses, referred to on public grounds no action seems to have been taken in the direction of actually acquiring them, and that such being the Case, any Claim for Compensation on account of the damage, if any, suffered by the owners of those houses does not Come within the purview of section 4 of the Land Acquisition Regulations since ~~Government~~ Government has been in no way deprived of

(4) Correspondence
Cor with letter 22 S.496
dated the 9th December 03
from the same office.

Order thereon 6 8-
507-04) 20-12-05
16

Govt agree with the
Dy Commissioner that, in
the circumstances
by him, the owners of
the unacquired houses in
the Old Pioneerberry are
not entitled to any Com-
pensation under section
48 (2) of the Land
Acquisition Regulation, there
possession having never
been disturbed. The
parties concerned will be
informed accordingly by
endorsement
(2) In the cases of
houses Nos. 29 & 44,
there is nothing on record
to show that they were
demanded by the Govt
Agency. If, however,
sufficient proof is
~~found~~, these two
may be investigated
the Dy. Commissioner

GRS 27]

GENERAL AND REVENUE SECRETARIAT

(*Continuation Sheet draft form*)

5

48

Compensation awarded
and, ~~the lands required~~
if necessary in Consultation
with the President of
the City Municipal Com-
mission, the amount
~~of Compensation~~ being paid
from Municipal funds

12/12/1905

Secy
19/12

To,

HB
19/12/05

The Dy. Commissioner of
the Bangalore Dt.
& Presidt, Mc Council, Bangalore
City

2/1—

6500 D
Jud(507-04)-16
20-12-05

Endorsement (16)

Endorsement granted to the owners of the unacquired houses in the Old Pioneer cherry, of the Bangalore City, in reply to their petition Regd No. 1720 D6826 dated the 1st April 1905 to His Highness the Maharaja and subsequent reminding petitions, praying for the acquisition of their houses after a re valuation of the same, if necessary, for the remission of the Municipal taxes prior to the 14th December 1904 and for the payment to them of Compensation for the damage sustained by them in case their houses should be acquired, and for the publication in the Gazette of a declaration Cancelling the original declaration and setting their houses free

The

5

the petitioners are informed that beyond the publication of a notification in the Mysore Gazette declaring the intention of the Govt to acquire their houses on public grounds no further action was taken in the direction of actually acquiring them nor was the petitioners' possession of their houses ever disturbed, and that in such circumstances they are not entitled to any compensation on account of the damage alleged to have been suffered by them, which, if any at all, is due to their own neglect to repair their houses when necessary. A notification cancelling the original declaration in so far as it relates to their houses will be published in the Mysore Gazette by order

19/12/05

Secty

19/12/05

19/12/05

Asst Secy